



**COMMONWEALTH OF MASSACHUSETTS
TOWN OF NEW MARLBOROUGH
OFFICE OF THE BOARD OF SELECTMEN
807 Mill River Southfield Road, Mill River, MA 01244-0099
Phone: 413-229-8116 Fax: 413-229-6674 E-mail: nmbdselectmen@aol.com**

**Nathaniel H. Yohalem, Chair
Tara B. White
Michele Shalaby
Board of Selectmen**

Minutes of July 20, 2013

The meeting convened at 10:01am.

Board Members Present: Nathaniel Yohalem, Chairman
Tara B. White
Michele Shalaby

Others Present: Michael Skorput, Administrative Assistant
Nicole Reid, Administrative Secretary

Chairman Yohalem welcomed the audience to the Saturday Selectmen's meeting. The purpose of holding a meeting on Saturday was to give citizens who cannot attend Monday night meetings, an opportunity to meet the Board and learn more about Town business.

Review, discuss, and sign warrants, correspondence and minutes
The minutes of July 1, 2013 were approved as presented.

Senior Abatement Program

Prudence Spalding gave a proud update of the total hours provided by volunteers of the Senior Abatement Program. This year, there were over 800 hours total. Two of the seniors put forth a generous amount of time, much more than required. Chairman Yohalem also acknowledged the program and the great work provided by the volunteers. Chairman Yohalem announced that Prudence Spalding of the Finance Committee prepared a job description for the position of Finance Committee Member.

Foley Hill Bridge

Chairman Yohalem stated the bid packages are prepared. However, the Engineer is waiting for MassDOT in Boston to finalize the Chapter 85 review process.

Clayton Mill River Culvert

Chairman Yohalem provided updates on Engineer proposals from Foresight Engineering and Stantec Engineering for the Clayton/Mill River Culvert. Chairman Yohalem has requested meetings with both Engineers to review the contracts again to ultimately make the best decision for the Town.

Highway Clerk Position

Chairman Yohalem stated that the Town has received three highway applications, one of which did not show up for the interview. He also stated that Nicole Reid is one of the applicants, she has worked on grants for the bridges and is familiar with the Highway Department.

A motion was made and seconded to nominate Nicole Reid for the highway clerk position. All were in favor. [Salaries and hours have not yet been determined].

Finance Committee

A motion was made, and seconded to appoint Pat Mielke, Town Treasurer to the Finance Committee. All were in Favor.

Emergency Management Director

Chairman Yohalem updated the audience on a mutual, verbal agreement to have more than one person involved in Emergency Management. Ed Harvey and Mike Brittan will be co-workers in this department.

Fire Chief Contract

The contract term is for one year or until June 30, 2014 and is dated June 24, 2013. The Board has the right to terminate the new Fire Chief at any time with 30 days written notice. The Chief has the right to resign at any time provided he gives the Board at least 30 days' notice. The compensation is \$10,000.00 a year. All of the fees collected for fire inspections will be paid to the Town. Everything else in the contract is standard, nothing out of the ordinary, as the other terms have been in existence for a while.

Letters

A letter was received from Mark Carson requesting to serve on the Finance Committee for the remainder of Bill Hattendorf's term.

A letter was received from Mohammad Ismail and Fern Kahn regarding recommendations for drainage on their property. Ultimately the letter states they will purchase the drainage items and the Town does the work. Charles Loring, Highway Superintendent, commented on the letter. He stated by asking if we are setting a precedent? The road has been there before the Kahn's house was there. Selectman White agreed and added that "we have some issues here which need a little more consideration than saying yes, let's do it". Chairman Yohalem stated "the letter indicates" the Highway Superintendent made a proposal. The Board of Selectmen suggested Mr. Ismail and Ms. Kahn be invited back to talk with the Board and Highway Superintendent to discuss the issue.

A letter was received from Gretchen Long who is interested in purchasing property the Town owns due to foreclosure. Administrative Assistant, Michael Skorput confirmed the procedure in regard to this process. He suggested first to determine what all the costs are and then offer it to abutters, if no abutter is interested it would go out to auction. Chairman Yohalem suggested that when the time does come for a letter to go out, to include the language "*The purchase would be on the condition that it is not donated to an organization that does not pay taxes*" in order to keep it on the tax rolls.

Administrative Assistant, Michael Skorput stated that two Highway employees had their 90 day review and provided the Board with the recommended raises for Christopher Chaffee and Lynn Renke-Kelsey. It was noted by Highway Superintendent, Charles Loring, that Christopher

Chaffee is a very experienced equipment operator and a great candidate to operate the grader if anything were to ever happen to Larry. He also stated that someone with this kind of experience needs a pay increase to avoid the turnover in help and to retain a good employee.

Peter Marks stated that the Town "has the best highway crew. You can call them out any time of the night, any time of the day. I think you should pay them."

A motion was made and second to increase Christopher Chaffee's pay \$1.00 an hour and to increase Lynn Renke-Kelsey's pay by .29 per hour.

Selectman White feels the raises should be reviewed in further detail. She understands the need for retention, however the Town gave a raise to the highway department, more than the rest of the Town employees and overall a \$1.00 more per hour raise seems high. This topic will continue discussion on July 29, 2013.

Audience

Norman Rosenfeld, 2nd home Owner, suggested a voice system so everyone in the audience can hear the Board. Mr. Rosenfeld wanted to clarify the specific information for the upcoming meetings regarding the Clayton Mill River Culvert.

Chairman Yohalem highlighted that we currently have proposed contracts with two different Engineers. One of them assumed that the work can be done and not involve the State. The other thought we are going to have to involve the State.

Another member of the audience inquired about the auction process and how it works.

Selectmen Yohalem stated that the Board does not have to accept any bids. Previously the Board arrived at a minimum bid price based on all the costs and the taxes.

Joyce Scala inquired about the ongoing investigation of the missing Fire Department files. She voiced her concerns in regard to not being contacted over the missing files and missing laptop computer. She stated that Todd Riska discovered the missing files and that he also has not been contacted.

Chairman Yohalem stated that he "would not be commenting on an ongoing investigation; however, there have been interviews with individuals conducted by the Police Department."

Joyce Scala also inquired if a meeting was going to be rescheduled from back in May. "Nobody has contacted us."

Chairman Yohalem stated that the Town Attorney responded in writing.

Peter Scala stated there has been no contact.

Chairman Yohalem stated "that is an untrue statement. We have a copy of a letter from our Town Attorney, Jeremia Pollard, to your attorney".

Angie Pell in the audience voiced her concerns in regard to the clause that the Board would like to add to the land that will be for sale, specifically to restricting the land to a specific buyer. She

states "regardless of what you put in that clause, to add a clause saying you cannot do this if you buy this land is setting a precedence that I worry about for the Town". She continued to say that if regulations are made, they should apply to everybody.

Selectman Shalaby addressed this concern by stating that at this time it is just an idea and the Board would definitely consider these concerns. It would however have to be discussed for the Town's best interest and it has to be discussed legally. Selectman Shalaby thanked her for her concern.

Joyce Hackett contributed to this discussion by stating that she feels there is a clear goal of preservation in the Town, but it may also make sense to discuss a policy rather than one property. There is a clear interest in keeping taxes lower and also a clear interest in preserving land.

Chairman Yohalem stated that both residents raised valid concerns which the Board will consider.

Sy Rotker, 2nd home owner, inquired if there was any money coming in separate from dealing with the State on unpaid taxes or on accounts receivable through the Town and what measures are being taken to ensure that there is an "expeditious attempt to recoup any funds due to Town on that basis"?

Selectman White stated "delinquent properties are turned over to the Treasurer, who then turns them into tax title". It is a timely process as it goes through lawyers, and through the State. If it is determined that there is an unknown owner or somebody no longer has rights to the property, then it comes to the Town. It becomes costly to go into tax title. In most cases, the property owner responds quickly due to escalating costs. The whole process including going to Land Court takes about three years. During this time the owner has rights to redeem the property.

Norman Rosenfeld, 2nd home Owner inquired about second home owners having voting rights on non-financial matters such as zoning issues.

Chairman Yohalem stated that this topic has not been discussed. However the Board will inquire of Town Counsel, Jeremiah Pollard, to determine what the law is on this topic

Peg Phillips inquired about the current status of the Kolburn School and potential development on the property.

Chairman Yohalem clarified the matter by stating nothing has come into Town Hall about any projected sale, other than the house in the back.

Peg Phillips also spoke to the Highway Superintendent about damage to hedges and trees located around her property.

Highway Superintendent, Charles Loring, stated that last winter the mirror on the side of the truck was getting hit by branches. Also, the branches and the fence are on the Town right-of-way.

Administrative Assistant, Michael Skorput mentioned the records at the Highway Department will determine how far from the center of the road the Town's right-of-way is. Chairman Yohalem asked Mr. Loring if he could look into this and follow up with Peg.

Joyce Hackett of East Hill Road stated there are two deteriorating houses on East Hill Road. She has seen kids climbing and jumping on them multiple times and she is concerned.

Selectman White stated that this is a Police issue. The property is in Tax title and will be coming back to the Town.

Mike Scranton, 2nd home owner, expressed his appreciation to the Board in regard to having another home owner meeting on Saturday as this one was very informative and he would definitely attend another.

Being that there was no further business to be brought before the Board, a motion was made and seconded to adjourn at 11:15am.

Respectfully submitted,

A handwritten signature in blue ink that reads "Nicole Reid". The signature is written in a cursive, flowing style.

Nicole Reid
Administrative Secretary